

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 12, 1938.

The City Council of the City of Austin, Texas, met in regular session at the regular meeting place in the City Hall on May 12, 1938, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meetings of April 28 and May 5, 1938, were read, and upon motion of Councilman Wolf, seconded by Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following report of the Board of Adjustment was received:

"Hon. Mayor and City Council
Austin, Texas

Gentlemen:

The Board of Adjustment at a meeting held on May 10, 1938, passed the following resolution, which is hereby submitted for your consideration:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Board of Adjustment for its consideration the petition of Mr. Gillespie Stacy, agent for the owner, for a change in the Use designation of Lot 60, College Court Addition, Division "X", of the City of Austin, from an "A" Residence District to a "B" Residence District; and

WHEREAS, the Board of Adjustment at a meeting held on May 10, 1938, carefully considered the changing of the Use designation of this property; and

WHEREAS, this lot is located on Park Place between San Jacinto Boulevard and Waller Creek; and

WHEREAS, on September 24, 1937, the Board of Adjustment submitted a resolution to the City Council concerning the change of the Use designation of all the property lying between San Jacinto Boulevard and Waller Creek, and fronting on Park Place; and

WHEREAS, the conditions and circumstances concerning this property have not changed and are the same now as they were at that time; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is not recommended to change the single lot referred to in the application, which would constitute a case of spot zoning, but again recommends the change of the Use designation of all the property on both sides of Park Place from San Jacinto Boulevard to Waller Creek as previously recommended in the resolution above referred to, for the following reasons:

1. That the survey of the property along this street clearly indicates that property owners of that portion of Park Place between San Jacinto Boulevard and Waller Creek have themselves, through violation and non-conformance with the Ordinance, changed the character of this property by implied common consent.
2. That the location of this property, its relation of San Jacinto Boulevard and the University of Texas, render it more desirable for "B" Residence purposes.
3. That the present conversion of this property to lodging and boarding house uses is not seriously affecting public safety along this portion of the street with respect to traffic hazards.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman.

May 11, 1938.

It was the sense of the meeting that a public hearing on the proposal to change the zoning, from "A" Residence District to "B" Residence District, of Lot 60, College Court Addition, Division "X", only, be called for Thursday, June 2, 1938.

Upon motion of Councilman Wolf, J. E. Haire was granted a license to operate one additional taxicab, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that Isaac Lafayette Cunningham, 1118 West Sixth Street, be granted a permit to drive a taxicab, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

The application of Joe A. Wukasch, owner, for a change in the zoning of Lots 1, 2, 3, and 4, Block "B", Statesman Hyde Park Addition, in the City of Austin, Texas, from Residence "B" District to Commercial "C" District, was received, and a public hearing on the matter was called for Thursday, June 2, 1938.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$1021.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of improving and beautifying the grounds surrounding the Treaty Oak.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Mayor Miller moved that Raymond A. Miller be reinstated as a taxicab driver for a probationary period of six months, his permit to become permanent at that time upon showing of a good and satisfactory record. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$252.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of landscaping and beautifying the grounds of the Westenfield Fire Station.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

Councilman Gillis offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$345.00 be, and the same is hereby, appropriated out of the PWA Docket Texas-1854-DS Fund, not otherwise appropriated, for the purpose of landscaping and beautifying the grounds of the Central Fire Station,

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$1500.00 be, and the same is hereby, appropriated out of the Water, Light and Power Fund, not otherwise appropriated, for the purpose of purchasing 43.596 acres of land from Emmett Shelton, said land being out of the Wilkinson Sparks Survey in Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby, authorized and directed in behalf of the City of Austin to sell and convey by special warranty deed to Emmett Shelton

for the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the following described property:

All that certain lot, tract or parcel of land situated in the Wilkinson Sparks Survey in Travis County, Texas, and more particularly described as follows:

Beginning at a concrete monument at the northwest corner of the aforesaid Shelton to City tract and from which concrete monument a Live Oak tree 6 inches in diameter marked X bears S. 34 degrees W. 40 feet and a Hack-berry tree 8 inches in diameter marked X bears S. 76 degrees W. 50.7 feet;

Thence following the west line of said Shelton to City tract S. 30 degrees 14' W. at 330.76 feet pass a concrete monument and at 1185 feet cross the electric power line leading from the City of Austin to the Marshall Ford Dam, in all a distance of 1409.01 feet to an X mark out in solid rock in the center of Little Bee Creek and from which cross mark a Walnut tree 8 inches in diameter marked X bears N. 3 degrees W. 31.5 feet and a Live Oak tree 8 inches in diameter marked X bears N. 22 degrees E. 23 feet and also from which X mark the southwest corner of the aforesaid Shelton to City tract bears S. 30 degrees 14' W. 660.40 feet;

Thence down the center of Little Bee Creek with the following nine courses:

N. 72 degrees 34' E. 157.2 feet to a cross mark out in solid rock;

N. 69 degrees 43' E. 232.98 feet to a cross mark out in solid rock;

N. 79 degrees 58' E. 125.18 feet to a cross mark out in solid rock;

N. 71 degrees 00' E. 252.9 feet to a cross mark out in solid rock;

N. 75 degrees 17' E. 173.30 feet to a cross mark out in solid rock;

N. 38 degrees 09' E. 193.7 feet to a cross mark out in solid rock;

N. 76 degrees 56' E. 70.82 feet to a cross mark out in solid rock;

N. 37 degrees 36' E. 292.25 feet to a cross mark out in solid rock; and

N. 65 degrees 54' E. 233.7 feet to a cross mark out in solid rock, which cross mark is on the north line of the aforesaid Shelton to City tract;

Thence following the north line of said tract and the north line of the tract of land herein described N. 59 degrees 56' W. 889.41 feet to the point of beginning, containing 17.05 acres of land, more or less, and being the northwest portion of that certain tract of land described as containing 110 acres of land as conveyed to the City of Austin by Emmett Shelton by deed dated September 18, 1937, and recorded in Volume 574, at page 264 of the Deed Records of Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$329.75 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing boiler and machinery insurance, as follows: Hospital, \$165.00; Athletic Club, \$67.25; Main Library, \$97.50.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, the State Highway Department of the State of Texas is desirous of constructing U. S. Highway No. 81 (Old State Highway No. 2) through the City of Austin from 45th Street on Guadalupe Street to north City Limits of Austin; and

WHEREAS, the State Highway Department is desirous of receiving Federal Aid for the improvement of said highway; and

WHEREAS, the Bureau of Public Roads of the Department of Agriculture of the United States of America will not participate in the construction of said highway until and unless the City of Austin will agree to refrain from permitting encroachments upon the right-of-way of said above mentioned streets, and until and unless the City of

Austin will agree to refrain from passing ordinances or laws fixing a speed limit of under twenty miles per hour on said above mentioned street, and until and unless the City of Austin will agree to refrain from erecting signs, semaphores, and signals that will give preference to local routes or that will hinder or delay traffic on said above mentioned street; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT, for and in consideration of the State Highway Department of the State of Texas and the Bureau of Public Roads of the Department of Agriculture of the United States of America constructing said U. S. Highway No. 51 (Old State Highway No. 2) through the City of Austin from 45th Street on Guadalupe Street to north City Limits, it hereby agrees with the State Highway Department of the State of Texas and the Bureau of Public Roads of the Department of Agriculture of the United States of America that it will not, in the future, permit encroachment on the right-of-way of said above mentioned street; nor will it pass an ordinance or laws fixing a speed limit on the above mentioned street of under twenty miles per hour, nor will it allow the erection of signs, semaphores, and signals that will give preference to local routes which intersect with said above mentioned street nor that will slow up, hinder, or delay traffic on said above mentioned street; nor will it repeal or amend any of the provisions of this resolution without the consent of the State Highway Commission.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in PRESTON AVENUE easterly 53 feet from a point 66 feet east of the east line of Harris Boulevard, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Preston Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in SHARON LANE northerly 96 feet from a point 206 feet north of the north line of Griswold Lane, the centerline of which gas main shall be 10 feet east of and parallel to the west line of said Sharon Lane.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in JESSIE STREET from Juliet Street southerly 286 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Jessie Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(4) A gas main in WEST 38TH STREET from Jefferson Street easterly 72 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West 38th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in WEST JAMES STREET from South 5th Street easterly 81 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West James Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in SOUTH 5TH STREET from West James Street northerly 208 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said South 5th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$600.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the City's part of the expenses of the U. S. Employment Service office in Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

WHEREAS, the City Council has determined to give relief to domestic water consumers residing within the corporate limits of the City of Austin for the three summer months; namely, for water consumption between May 20 and September 20, 1938, for the purpose of encouraging the further beautification of our city and thereby indirectly creating more employment; and

WHEREAS, it is the intention of the City Council that this reduction shall be made only to those water consumers whose use shall be strictly for residential purposes, and is not effective for commercial purposes; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby, authorized and directed to make effective on all water readings within the corporate limits of the City of Austin, Texas, for all water consumers whose use is strictly for residential purposes, as of June 20 to September 20, 1938, a reduction of 10% from the gross bill on amounts from \$1.00 to \$3.00, inclusive, there being no reduction on any amount less than \$1.00; a reduction of 20% from gross bill on amounts between \$3.01 and \$6.00, inclusive; a reduction of 25% on gross bill on amounts above \$6.00; all amounts of water

used in excess of 250,000 gallons per month to be billed not on the regular rate.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis offered the following resolution:

WHEREAS, Scott Yeamans is the Contractor for the alteration of a building located at 1404-06 Lavaca Street and desires a portion of the sidewalk space abutting the north 58 feet of Lots 5 and 6, Block 175, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Scott Yeamans, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Lavaca Street 6 feet to a point; thence in a northerly direction parallel with the centerline of Lavaca Street 58 feet to a point; thence in a westerly direction and at right angles with the centerline of Lavaca Street 6 feet to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Scott Yeamans, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the street line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk immediately after the necessity for their existence on said sidewalk has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than June 1, 1938.

(6) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(7) That the use and enjoyment of the space herein granted shall not be exclusive as against public needs, and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said alteration, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf submitted the following resolution:

"Austin, Texas
May 12, 1938

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of H. Richards, owner of 9 acres of land out of Outlet 64, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated on the south side of East 1st Street and contiguous thereto within the City limits of the City of Austin and being approximately 300 feet east of the east line of Pleasant Valley Road, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and commercial driveways in conjunction therewith upon the above described property, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "A" Residence District, as shown upon the Zoning Map of the City of Austin.

There are no City storm sewers near this filling station site, therefore the drainage from this filling station should be concentrated into a seep well located upon the property of the applicant.

We recommend that H. Richards be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and commercial driveways in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant, or shall be concentrated into a seep well located upon the property of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-595.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-595, and shall be of the pre-moulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector. "

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property described as 9 acres of land out of Outlot 64, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated on the south side of East 1st Street and contiguous thereto within the City limits of the City of Austin, and being approximately 300 feet east of the east line of Pleasant Valley Road, and hereby authorizes the said H. Richards to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said H. Richards has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf nominated Sterling Tadlock as a member of the Board of Equalization for a term of two years, ending May 1, 1940. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf nominated John B. Pearson as a member of the Board of Equalization for a term of two years, ending May 1, 1940. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Mayor Miller offered the following resolution:

WHEREAS, in 1933, and on several subsequent occasions, the City of Austin filed various applications with the Public Works Administration for needed and desirable projects in the City of Austin; and

WHEREAS, there are now pending in the files of the Public Works Administration a number of these applications which, for financial reasons, have not yet been authorized; and

WHEREAS, certain of these applications are at this time badly needed by the City of Austin and their construction will assist in the recovery program of the Federal Government; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby, authorized and directed to resubmit these applications to the Public Works Administration and, in doing so, to revise the estimates and cost analyses as may be needed to bring these applications up to date, taking into consideration the changes in conditions that have occurred since their original filing; to do all things necessary to place before the proper officials of the Public Works Administration these pending projects, and such additional projects

as may be economically sound and socially desirable and necessary; and to furnish such information and execute all estimates and affidavits, and to do all things required by the regulations of the Public Works Administration.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced a resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion carrying with it the adoption of the resolution prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The resolution is as follows:

WHEREAS, the City Council of the City of Austin, Texas, has heretofore passed an order authorizing the issuance of CITY OF AUSTIN SCHOOL BONDS in the principal sum of \$150,000.00, dated July 1, 1912, in the denomination of One Thousand Dollars (\$1,000.00) each, numbered from 1 to 150, both inclusive, bearing Five per cent (5%) interest, payable semi-annually on January 1st and July 1st, and due and payable forty (40) years from their date, but redeemable at any time after twenty (20) years from their date; and

WHEREAS, said bonds were duly and legally issued and of said issue there are now outstanding \$65,000.00, dated July 1, 1912, in the denomination of One Thousand (\$1,000.00) Dollars each, numbered from 86 to 150, both inclusive, bearing Five per cent (5%) interest, payable semi-annually on January 1st and July 1st, and due and payable forty (40) years from their date, but redeemable at any time after twenty (20) years from their date; and

WHEREAS, it is now deemed advisable and to the best interest of the City of Austin that said bonds in the amount of \$65,000.00, all of said bonds being outstanding and unpaid at this time, be called for redemption; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

1. THAT the City Manager be, and he is hereby, authorized and directed to call for payment the following described bonds:

"CITY OF AUSTIN SCHOOL BONDS, dated July 1, 1912, in the denomination of One Thousand Dollars (\$1,000.00) each, numbers 86 to 150, both inclusive, aggregating Sixty-five Thousand Dollars (\$65,000.00), being a part of a total authorized issue of \$150,000.00, numbered from 1 to 150, both inclusive, bearing five per cent (5%) interest, payable semi-annually on January 1st and July 1st, and due and payable forty (40) years from their date but redeemable at any time after twenty (20) years from their date.

2. THAT notice in writing shall be given by the City Manager to the Chase National Bank, New York City, New York. Said notice shall be transmitted to said Bank at least thirty days prior to the date fixed for the redemption of said bonds, and said notice shall be published at least three times in The Bond Buyer, a financial publication published in the City of New York, at least thirty days prior to said redemption date and said published notice shall constitute notice to the holders of said bonds. Said notice shall provide that said bonds are to be called for redemption at the office of the City Treasurer in Austin, Texas, or at the Chase National Bank, New York City,

New York, at the option of the holder, on the first day of July, 1938.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of J. W. Fuller for the years 1926 through 1936 on certain real estate in the City of Austin, Travis County, Texas, and more particularly described as Lots 1 to 8, inclusive, in Block 11, Alta Vista, Plat 87, and Lots 14, 15, and 16, in Block 4, Alta Vista, Plat 87, said taxes aggregating the sum of \$495.17, and penalty for non-payment thereof at maturity was assessed in the sum of \$24.75; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$24.75, on condition that said taxes with interest accruing thereon be paid within thirty days from this date; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$24.75 is hereby remitted on condition that said taxes with interest thereon be paid in full within thirty days from this date, and the Tax Assessor and Collector of the City of Austin is authorized and directed that if said taxes in the sum of \$495.17, together with accrued interest thereon, is paid within thirty days from this date, to charge said penalty of \$24.75 off his rolls and to issue to said J. W. Fuller a receipt in full on the payment of said taxes, together with interest.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Upon motion, seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Helen McKeenan
City Clerk